

REMARKS

Claims 1-22 are pending. Claim 1 has been amended. This amendment is supported throughout the specification and original claims – especially at pages 20-22.

The Office Action has rejected independent claim 1 as being anticipated under 35 U.S.C. § 102(e) by U.S. Patent No. 6,023,684, to Pearson. This rejection is respectfully traversed.

“A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). See also MPEP §2131.

Applicant respectfully submits that Pearson does not teach the claim 1 limitation of “converting the incoming stochastic data records into a common data format substantially in real time.” The Office Action, on page 3, asserts that Pearson teaches this limitation “in the abstract, at lines 6-9, and at column 4, lines 44-50. But Pearson has been misunderstood.

Pearson does not teach converting incoming records into a common format. In fact, Pearson teaches just the opposite: for each application, Pearson’s software converts the data into a format compatible with that particular application.

Pearson allows data to pass between *one* client program and *one* application service at a time: “the client interface includes personality logic for converting client requests and system response data between a client program protocol and an application service protocol.” Column 4, lines 44-47. There is no common format. If the client program wishes to communicate with a different application service, a different client interface with different personality logic must be used:

In the preferred implementation, a plurality of client interface service applications are provided on a web server. Each client interface service may have a different personality logic and the selection of a client interface service for communication with a client program depends upon the types of client programs attempting to access the system.

The client interface services also include personality libraries for converting client messages between the language supported by a client program and the language used to implement an application service. For example, a client program may provide client messages or requests in

JAVA, Active X, or other language commonly encountered on the Internet. After the presentation logic passes the client message to obtain data for invoking an application service, the personality library converts the data and invoking command to the implementation language for the invoked application service. This structure permits the application services to be written in a variety of programming languages without requiring the application service or its application program interface (API) to include conversion processing.

See Pearson, column 4, line 59, to column 5, line 12.

Thus, Pearson does not teach converting data to a common format. Indeed, by specifying a different conversion process for each client-to-application interface, Pearson is clearly *teaching away* from any advantages provided by a common format.

In light of the above, Applicant submits that Pearson does not teach each and every limitation of independent claim 1, and therefore does not anticipate claim 1. Accordingly, Applicant requests that the rejection of claim 1 be withdrawn.

Claims 2-3, 5-6, 19-20, and 22 also were rejected as anticipated by Pearson. Since these claims all depend from claim 1 (directly or indirectly), they cannot be anticipated by Pearson, since they all share the same claim 1 limitation(s) absent from Pearson.

Claims 4, 7-18, and 21 stand rejected under 35 U.S.C. § 103 as unpatentable over Pearson. But these rejections all assume that Pearson teaches the "common format" limitation discussed above. Since Pearson does not teach (and, in fact, *teaches away* from using a common format), the rejections of claims 4, 7-18, and 21 are improper. Reconsideration and withdrawal of these rejections is respectfully requested.

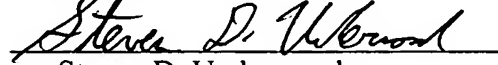
Applicant believes that each ground for rejection has been successfully overcome and that all pending claims are in condition for allowance. Withdrawal of all rejections and allowance of the pending claims are respectfully requested. If the Examiner does not feel that allowance is proper, Applicant respectfully requests a telephonic interview with the Examiner. Please contact Applicant's representative at the number below.

Appl. No. 10/053,276
Reply to Office action of JUNE 14, 2006

No fee (aside from the extension fee authorized above) is believed to be due in connection with this Response. If an additional fee is due, however, please charge the required fee to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310.

Dated: December 4, 2006

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven D. Underwood", is written over a horizontal line.

Steven D. Underwood
Reg. No. 47,205
Morgan, Lewis & Bockius LLP
101 Park Avenue
New York, NY 10178
Customer No. 09629
(212) 309-6000